

APPLICANT(S): THOMSEN, Ruth et al.

SERIAL NO.: 10/586,472

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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 6, 7 and 10 are pending in the application and have been rejected.

Claims 6 and 7 have been amended herein. Applicants respectfully assert that the amendments to the claims add no new matter.

Claim 10 has been canceled herein without prejudice or disclaimer. In making this cancellation without prejudice, Applicants reserve all rights in these claims to file divisional and/or continuation patent applications.

New dependent claim 11 has been added herein. Applicants respectfully assert that this new claim adds no new matter.

OBJECTIONS TO DRAWINGS

In the Final Office Action, the Examiner objected to the drawings under 37 C.F.R. 1.83(a) as not showing every feature of the invention specified in the claims.

Applicants have amended claim 6 to clearly define "the perforated outside wall" as "the perforated outside wall of the first receptacle". Applicants state that the "moveable partition" recited in claim 6 is shown under reference numeral 1.2 in Fig. 2c, which shows the assassin bug positioned against the perforated outside wall (1.3) of the first receptacle (1) by the moveable partition (1.2).

In view of the above explanation, Applicants respectfully request that the objection to the drawings be withdrawn.

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CLAIM REJECTIONS

35 U.S.C. § 112 Rejection

In the Final Office Action, the Examiner rejected claims 6, 7 and 10 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Applicants respectfully traverse the rejection.

The Examiner asserts that claims 6, 7 and 10 contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In particular, the Examiner asserts that the specification fails to enable one skilled in the art to make a device having a moveable partition to hold the assassin bug against a location on the perforated outside wall that forms a common separating wall between the first and second receptacles and to hold the bug in place against a second perforated outside wall.

In response, Applicants have amended independent claim 6 herein to conform with the specification and drawings. Further, the feature of “a moveable disk (2.1)” has been deleted from claim 6, and a new dependent claim 11 including the deleted feature has been added.

Applicants assert that this amendment places claims 6 and 7 in compliance with the enablement requirement of 35 U.S.C. § 112, first paragraph. Claim 10 has been canceled. New dependent claim 11 is believed to be in compliance with this requirement. Therefore, Applicants request that the rejection be withdrawn.

In the Final Office Action, the Examiner rejected claims 7 and 10 under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. Applicants respectfully traverse the rejection.

The Examiner asserts that claims 7 and 10 contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventor(s), at the time of filing, had possession of the claimed invention. With regard to claim 7, the Examiner asserts that, while claim 7 recites a first receptacle that is a hollow cylinder, the specification is silent as to the shape of the first receptacle in the

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disclosure of the embodiment of Fig. 2, which is the embodiment having a first and second receptacle. With regard to claim 10, the Examiner asserts that, while claim 10 recites that the first receptacle is deformable and includes a mesh-like fabric structure, the specification fails to disclose such a structure with the embodiment disclosed in Fig. 2 having a first and second receptacle.

In response, Applicants have amended claim 7 herein to delete the recitation of a “hollow cylinder”.

Applicants assert that this amendment places claim 7 in compliance with the written description requirement of 35 U.S.C. § 112, first paragraph. Claim 10 has been canceled. New dependent claim 11 is believed to be in compliance with this requirement. Therefore, Applicants request that the rejection be withdrawn.

In the Final Office Action, the Examiner rejected claim 7 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicants respectfully traverse the rejection.

The Examiner asserts that claim 7 recites “the receptacle” and that it is unclear whether this refers to the first or second receptacle. The Examiner suggests replacing “the receptacle” with “the first receptacle” or “the second receptacle” and appropriate.

In response, Applicants have amended claim 7 to recite “the first receptacle”.

Applicants assert that this amendment places claim 7 in compliance with 35 U.S.C. § 112, second paragraph. Therefore, Applicants request that the rejection be withdrawn.

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the

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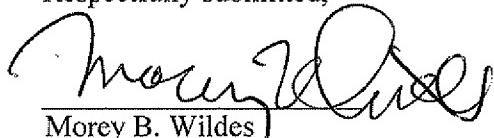
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prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,



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Dated: June 22, 2009

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